

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BARBARA LEATHER,

Plaintiff,

v.

UNUM PROVIDENT CORPORATION,

Defendant.

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CIVIL ACTION NO. 06-5365 (MLC)

MEMORANDUM OPINION

THE PLAINTIFF advising the Court:

that the above matter has been amicably resolved by and between the parties. The defendant is in the process of preparing a release for the plaintiff's signature. Upon execution of same, a Stipulation of Dismissal will be filed with the Court. I therefore request that the Motion returnable on February 5, 2007, be marked resolved and removed from the Court's calendar

(1-15-07 Letter of Pl. Counsel Todd A. Wallman); and thus the Court intending to (1) deny the pending motion to dismiss the complaint without prejudice, and (2) dismiss the complaint (a) without costs and (b) without prejudice to reopen the action on good cause shown within 60 days if the settlement is not consummated; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper

MARY L. COOPER

United States District Judge